

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HUGH JOHN TULLY and PENELOPE CAROL
TULLY, on Behalf Themselves and All Others
Similarly Situated,

Plaintiffs,

v.

THE CHARLES SCHWAB CORPORATION,
SCHWAB INVESTMENTS, CHARLES
SCHWAB & CO. INC., CHARLES SCHWAB
INVESTMENT MANAGEMENT, INC.,
CHARLES R. SCHWAB, EVELYN DILSAVER,
RANDALL W. MERK and GEORGE PEREIRA

Defendants.

Case No. 08-cv-3652 (BSJ) (MHD)

**FIRST-FILED PLAINTIFF MIKE LABINS JOINDER IN DEFENDANTS'
MOTION TO TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA**

Plaintiff, Mike Labins, filed the first complaint in a series of substantially identical cases against the above named defendants on March 18, 2008 in the Northern District of California. Since that time, seven additional cases have been filed including this case. First-filed plaintiff, Mr. Labins, respectfully joins in the motion to transfer this case to the Northern District of California. Mr. Labins agrees that this matter should be transferred to the Northern District of California where the majority of the related cases are on file, the bulk of the witnesses and evidence are located and where Mr. Labins filed the first case.

Dated: May 15, 2008

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CERTIFICATE OF SERVICE

I, David S. Nalven, hereby certify that on Thursday, May 15, 2008, true and correct
copies of the attached document, in the above-captioned proceeding, were served
electronically in accordance with the Federal Rules of Civil Procedure and the S.D.N.Y.
Procedures for Electronic Case filing, upon:

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Dated: May 15, 2008

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